

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**DECLARATION OF STEPHANIE ACKERMAN IN SUPPORT OF TRUSTEE'S
MOTION AND MEMORANDUM OF LAW TO AFFIRM HIS DETERMINATIONS
DENYING CLAIMS OF CLAIMANTS HOLDING INTERESTS IN
AHT PARTNERS, PERGAMENT EQUITIES, LLC, SMT INVESTORS LLC,
GREENE/LEDERMAN, L.L.C., AND TURBO INVESTORS, LLC**

I, Stephanie Ackerman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an associate with Baker & Hostetler LLP, counsel to Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), and for Bernard L. Madoff ("Madoff").

2. I am fully familiar with this case and the facts set forth herein.

3. For purposes of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in AHT Partners (a.k.a. AHT Associates, LLC), Pergament Equities, LLC, SMT Investors LLC, Greene/Lederman, L.L.C., and Turbo Investors, LLC (the "Motion"), the Trustee selected five BLMIS accounts

(collectively, the “Accounts”): 1A0001 held by AHT Partners (a.k.a. AHT Associates, LLC), 1CM580 held by Pergament Equities, LLC, 1CM827 held by SMT Investors LLC, 1G0322 held by Greene/Lederman, L.L.C., and 1T0052 held by Turbo Investors (collectively, the “Limited Liability Companies”).

4. A list of Objecting Claimants associated with one or more of the Limited Liability Companies whose claims are dealt with by the Motion is annexed as Exhibit 2 to the Declaration of Vineet Sehgal filed in support of the Motion (the “Sehgal Declaration”). The Motion addresses all outstanding docketed objections that have been filed to date by Objecting Claimants associated with one or more of the Limited Liability Companies, details of which objections are contained in Sehgal Declaration Exhibits 2 and 3.

5. I supervised service of discovery, including Requests for Admission, by the Trustee on the Objecting Claimants listed in Exhibit 2 to the Sehgal Declaration. I also personally reviewed and caused to be entered into our system each response to Requests for Admission or to Interrogatories that were received by our office. None of the Objecting Claimants responded.

6. During the course of my work on this matter, and to properly prepare and serve discovery, I personally reviewed hundreds of documents, including the claims filed by the Objecting Claimants, the respective notices of determination of claims issued by the Trustee, and the respective objections to the Trustee’s notices of determination of claims filed by the Objecting Claimants, in addition to reviewing the Limited Liability Company account files as contained in the books and records of BLMIS.

Service of Requests for Admission and Other Discovery

7. I caused discovery to be served on Objecting Claimants through counsel or in a *pro se* capacity, using contact details from the claims, objections to the Trustee's notices of determination of claims, or the debtor's books and records, all as provided by the Trustee's claims agent, AlixPartners. Each of the Trustee's discovery requests contained a certificate of service setting out how and when service was made.

Represented Objecting Claimants Who Failed to Respond to Requests for Admission

8. Attached hereto as Exhibits 1 and 2 are true and correct copies of two sets of Requests for Admission (including certificates of service and cover letters) that were served on Objecting Claimants through counsel, for which the Trustee received no responses. These requests for admission relate to the SMT Investors LLC Objecting Claimants (Exhibit 1, claim numbers 013083, 015837, 015838, 015839, 015840, 015841, 015842, and 015843) and the Greene/Lederman, L.L.C. Objecting Claimants (Exhibit 2, claim numbers 015581, 015582, 001720, 001721, 001722, 001723, 002787, 002788 and 004590). Twelve of the actual Requests for Admission in the two sets are identical, but the Greene/Lederman, L.L.C. set had one additional Request for Admission not present in the other set. The defined terms in each are changed for the particular claims and Objecting Claimants.

Pro Se Objecting Claimants Who Failed to Respond To Requests for Admission

9. The remaining Objecting Claimants were each served discovery in a *pro se* capacity.

10. Each of the Objecting Claimants received twelve (12) substantively identical Requests for Admission in their discovery packages.

11. The AHT Partners and Turbo Investors, LLC Objecting Claimants received one additional identical request for admission, and the Pergament Equities, LLC Objecting Claimants received three additional requests for admission. The Greene/Lederman, L.L.C. Objecting Claimants received a thirteenth request for admission that was distinct from any received by the remaining Objecting Claimants.

12. The AHT Partners Objecting Claimant received a package with thirteen numbered Requests for Admission.

13. A true and accurate copy of the complete package served on AHT Partners Objecting Claimant Marion L. Brazaitis is attached hereto as Exhibit 3.

14. The AHT Partners Objecting Claimant did not respond to the Trustee's discovery requests.

15. The Pergament Equities, LLC Objecting Claimants received a package with fifteen identical numbered Requests for Admission.

16. A true and accurate copy of the complete package served on Pergament Equities, LLC Objecting Claimants is attached hereto as Exhibit 4.

17. None of the Pergament Equities, LLC Objecting Claimants responded to the Trustee's discovery requests.

18. The Turbo Investors, LLC Objecting Claimants received a package with thirteen identical numbered Requests for Admission.

19. A true and accurate copy of the complete package served on Turbo Investors, LLC Objecting Claimants is attached hereto as Exhibit 5.

20. None of the Turbo Investors, LLC Objecting Claimants responded to the Trustee's discovery requests.

21. Exhibits 3 through 5 each contain the cover letter, Requests for Admission, Interrogatories, Requests for Production, and Certificate of Service as mailed to the Objecting Claimants.

Miscellaneous Exhibits

22. Attached hereto as Exhibit 6 are selected pages of the transcript of the hearing held February 25, 2015 regarding the Trustee's Motion And Memorandum To Affirm His Determinations Denying Claims Of Claimants Holding Interests In S & P Or P & S Associates, General Partnerships (ECF No. 9506).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 15, 2016
New York, New York

/s/ Stephanie Ackerman
Stephanie Ackerman
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New York, New York 10111